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17 **UNITED STATES DISTRICT COURT**
18 **DISTRICT OF ARIZONA**

19

20 Angelica Jackson; } No.
21 Plaintiff, }
22 v. }
23 General Revenue Corporation; } **COMPLAINT**
24 Defendant. }
25 _____ } (Jury Trial Demanded)

26

27 **Preliminary Statement**

28 1. On one or more occasions Defendant obtained the Plaintiff's credit
29 report in violation of the Fair Credit Reporting Act ("FCRA"), 15
30 U.S.C. §§ 1681 *et seq.* Plaintiff seeks monetary, declaratory and injunc-

1 tive relief.

2 **Jurisdiction and Venue**

3 2. Jurisdiction over this action is premised upon 15 U.S.C. § 1681p and
4 28 U.S.C. § 1367.

5 3. Venue is proper in this District under 28 U.S.C. § 1391(b), and in that
6 the Defendant's conduct complained of occurred in the District.

7 **Parties**

8 4. Plaintiff is an individual who at all times relevant resided in Maricopa
9 County, Arizona.

10 5. Defendant General Revenue Corporation (“GRC”) is a national
11 collection agency licensed to conduct business within the state of
12 Arizona.

13 **Factual Allegations**

14 ***The Impermissible Access***

15 6. On January 14, 2015, GRC accessed or obtained a consumer report
16 (hereinafter “credit report” or “consumer report”) on Ms. Jackson from
17 Trans Union, a national consumer reporting agency.

18 7. GRC’s stated purpose for requesting the credit report was “account
19 review.”

20 8. Plaintiff previously filed Chapter 7 bankruptcy on July 1, 2014.

21 9. The account GRC was attempting to collect on behalf of Maricopa
22 Community Colleges was included in Plaintiff’s Chapter 7 bankruptcy.

23 10. Maricopa Community Colleges was notified by the Bankruptcy court of
24 Plaintiff’s filing on or about July 3, 2014.

25 .

- 1 11. Plaintiff received a discharge of her debts on October 16, 2014.
- 2 12. The bankruptcy court sent notice of Plaintiff's discharge to Maricopa
- 3 Community Colleges on October 16, 2014.
- 4 13. GRC did not have a permissible purpose for making the credit report
- 5 inquiry on Plaintiff on January 14, 2015.
- 6 14. At the time GRC made its inquiry, GRC knew, or should have known,
- 7 that the account it was attempting to collect from Plaintiff had been
- 8 included and discharged in Ms. Jackson's Chapter 7 bankruptcy.
- 9 15. At the time GRC made its inquiry, GRC knew, or should have known,
- 10 that its stated purpose for obtaining Ms. Jackson credit report, that of
- 11 "Account Review," was false.
- 12 16. At the time GRC made its inquiry, GRC knew, or should have known,
- 13 that it did not have a permissible purpose to access Ms. Jackson's
- 14 credit report.
- 15 17. GRC failed to conduct a reasonable investigation as to whether
- 16 Plaintiff's account with Maricopa Community Colleges had been
- 17 included in a bankruptcy prior to making its credit report inquiry on
- 18 January 14, 2015.
- 19 18. Upon information and belief, at the time GRC obtained Plaintiff's
- 20 credit report on January 14, 2015, GRC had a policy of regularly
- 21 ignoring the bankruptcy discharge of its customers and regularly
- 22 obtained credit reports under the guise of an "Account Review."

Other Impermissible Accesses

- 23 19. Upon information and belief, GRC accessed Ms. Jackson's consumer
- 24 report one or more times between January 6, 2014 and January 6, 2016

1 without a permissible purpose.

2 **Count I. Violation of FCRA**

3 ***Negligently Obtaining Consumer Report Without Permissible Purpose***

4 20. Plaintiff incorporates the preceding paragraphs.

5 21. GRC acted negligently in requesting and obtaining Ms. Jackson's

6 credit reports without a permissible purpose.

7 22. GRC's conduct in obtaining Ms. Jackson's credit reports without a

8 permissible purpose therefore violated 15 U.S.C. §1681b(f).

9 23. As a result of GRC's violation of the FCRA, Ms. Jackson has suffered

10 an invasion of privacy, and other actual damages.

11 WHEREFORE, the plaintiff requests that this Court enter judgment in

12 her favor and against defendant GRC as follows:

13 a. pursuant to 15 U.S.C. § 1681o(a)(1), award her actual damages,

14 for each impermissible access of her credit report;

15 b. pursuant to 15 U.S.C. § 1681o(a)(2), award costs of the action

16 and reasonable attorney fees; and

17 c. grant such other and further relief as the court deems just and

18 proper.

19 **Count II. Violation of FCRA**

20 ***Willfully Obtaining Consumer Report Without Permissible Purpose***

21 24. Plaintiff incorporates the preceding paragraphs.

22 25. GRC acted willfully in requesting and obtaining Ms. Jackson's credit

23 reports without a permissible purpose.

24 26. GRC's conduct in willfully obtaining Ms. Jackson's credit reports

25 without a permissible purpose therefore violated 15 U.S.C. §1681b(f).

1 27. As a result of GRC's violation of the FCRA, Ms. Jackson has suffered
2 an invasion of privacy, and other actual damages.

3 WHEREFORE, the plaintiff requests that this Court enter judgment in
4 her favor and against defendant GRC as follows:

5 a. pursuant to 15 U.S.C. § 1681n(a)(1)(A), award her actual dam-
6 ages, or not less than \$100 and not more than \$1,000 for each
7 impermissible access of her credit report, whichever is greater;
8 b. pursuant to 15 U.S.C. § 1681n(a)(2), award such punitive dam-
9 ages as the Court deems appropriate;
10 c. pursuant to 15 U.S.C. § 1681n(a)(3), award costs of the action
11 and reasonable attorney fees; and
12 d. grant such other and further relief as the court deems just and
13 proper.

14 **Demand for Jury Trial**

15 Plaintiff hereby demands a jury trial on all issues so triable.

16 RESPECTFULLY SUBMITTED: January 6, 2016.

17 s/ Floyd W. Bybee
18 _____
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